

## Court fines Gold Coast shooting range over threats to employee

7 September 2011

The operators of a Gold Coast shooting range have been fined a total of \$30,000 for asking employees to sign an Individual Flexibility Arrangement (IFA) removing their penalty rates.

Australian Shooting Academy Pty Ltd, which operates a public indoor shooting range at Centro Surfers Paradise shopping centre, has been penalised \$25,000.

Company director and part-owner Michael Joseph Murphy, who manages the shooting range, has been fined a further \$5000.

Australian Shooting Academy was also ordered to pay compensation of \$7146 to one worker.

The fines and compensation order, imposed in the Federal Court in Brisbane, are the result of a prosecution by the Fair Work Ombudsman.

They were imposed by Justice John Logan after Mr Murphy admitted he was involved in Australian Shooting Academy breaching workplace laws in 2010 when asking six employees to sign an IFA.

The IFA removed their entitlement to Modern Award penalty rates for overtime, weekend and public holiday work. Five of the six employees ultimately signed the IFA.

However, the adverse action, coercion, undue pressure and duress provisions of workplace laws were breached when one of the employees signed only after he was threatened that there would be no work for him if he did not sign.

Further, the adverse action provisions of workplace laws were breached when the one employee who refused to sign the IFA was subsequently given no further work. This worker was the subject of the Court's compensation order.

It is the first time the Fair Work Ombudsman has taken legal action over alleged contraventions relating to IFAs.

It is unlawful for employers to force employees to agree to an IFA and it is unlawful to make an IFA a condition of employment.

Employers or employees seeking assistance can visit [www.fairwork.gov.au](http://www.fairwork.gov.au) where resources including a Best Practice Guide on using IFAs are available.

Employers or employees can also contact the Fair Work Infoline on 13 13 94. A free interpreter service is available on 13 14 50.

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Page reference No: 4833

### Contact us

Fair Work Online: [www.fairwork.gov.au](http://www.fairwork.gov.au)

Fair Work Infoline: 13 13 94

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Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

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